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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: DA VINCI SURGICAL ROBOT  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

Lead Case No: 3:21-CV-03825-AMO-LB

**PLAINTIFFS' MOTION TO REMOVE  
INCORRECTLY FILED DOCUMENT**

Hearing Date: October 10, 2024  
Time: 2:00 PM  
Courtroom: 10 - 19th Floor  
Judge: Hon. Araceli Martínez-Olguín

1 Pursuant to Civil Local Rule 7-11 and the Court's Superseding Omnibus Sealing Order  
2 (Dkt. No. 246), Plaintiffs Larkin Community Hospital, Franciscan Alliance, Inc. and King County  
3 Public Hospital District No. 1, d/b/a Valley Medical Center (collectively, "Plaintiffs") hereby bring  
4 this motion to remove an incorrectly filed document. Specifically, Plaintiffs seek the removal of  
5 Exhibit 11 to the Declaration of Manuel J. Dominguez in Support of Plaintiffs' Class Certification  
6 Motion. *See* Dkt. 267-12. This document has been filed with the Court twice before in this case,  
7 both times under seal: first as Exhibit 12 to the Declaration of Jeffrey J. Corrigan in Support of  
8 Plaintiffs' Motion for Partial Summary Judgment, *see* Dkt. 128-8, and second as Exhibit 9 to the  
9 Declaration of Daniel McCuaig in Support of Plaintiffs' Opposition to Intuitive's Motion to  
10 Exclude Kimberly Trautman's Testimony, *see* Dkt. 165-16. While no party has sought for the  
11 portion of the document cited by Plaintiffs in their Motion for Class Certification to remain under  
12 seal, in reviewing their filings Plaintiffs discovered that they had filed Exhibit 11 without a minor  
13 redaction to another portion of the document that the Court had approved in its omnibus sealing  
14 order. *See* Dkt. 246 at 8, 18 (approving redaction in Dkt. 143-17). Plaintiffs immediately asked  
15 that access to the originally filed Exhibit 11 be restricted, and the ECF Helpdesk temporarily  
16 locked the document. Plaintiffs also filed a corrected version of Exhibit 11, with the appropriate  
17 redaction. *See* Dkt. 270. Plaintiffs now respectfully request that the originally filed version of  
18 Exhibit 11 in support of their Motion for Class Certification (Dkt. 267-12) be permanently  
19 removed from the public docket.

20 Pursuant to Civil Local Rule 7-12, Plaintiffs sought a stipulation with Intuitive regarding  
21 the removal of Exhibit 11, and Intuitive has stipulated to its removal, as reflected in the Stipulation  
22 and Proposed Order being filed herewith.

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Dated: June 12, 2024

Respectfully submitted,

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